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In re Application of :
FUKUDA, Kunio :
Application No.: 09/403,312 :
PCT No.: PCT/JP99/00956 :
Int. Filing Date: 26 February 1999 : DECISION ON REQUEST
Priority Date: 26 February 1998 :
Attorney Docket No.: 6715/57722 :
For: COMMUNICATION SYSTEM, BASE :
STATION DEVICE, COMMUNICATION :
TERMINAL DEVICE AND :
COMMUNICATION METHOD :

This is a decision on applicant's "REQUEST FOR CORRECTED FILING RECEIPT" filed in the United States Patent and Trademark Office (USPTO) on 25 May 2000.

On 20 October 1999, applicants filed a request to enter into the national stage under 35 U.S.C. 371 along with the appropriate basic national filing fee. No declaration was filed. On 17 December 1999, a Notification of Missing Requirements was mailed to applicants indicating that an oath or declaration was required.

On 21 January 2000, applicants filed their response to the Notification of Missing Requirements. On 10 February 2000, a Notification of Acceptance was issued identifying the 35 U.S.C. 102(e) and 371(c) date as 21 January 2000. Subsequently, an Official Filing Receipt was issued indicating a "FILING DATE" of 21 January 2000.

On 25 May 2000, applicants filed a "REQUEST FOR CORRECTED FILING RECEIPT." Applicants urge that the Filing Receipt be corrected to indicate a filing date of 20 October 1999, rather than 21 January 2000.

DISCUSSION

The actual filing date of the present application is considered to be the international filing date, 26 February 1999. The date in the filing date portion on the filing receipt of a national stage application is the date upon which the requirements set forth in 35 U.S.C. 371(c) for entry into the national stage were completed. (See MPEP §1895.01) A review of the application file reveals that the declaration was filed with the USPTO on 21 January 2000, the date which the requirements set forth in 35 U.S.C. 371(c) for

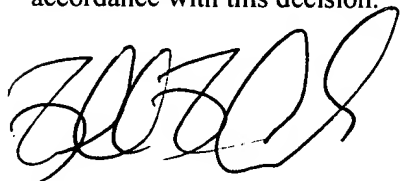
entry into the national stage were completed. Therefore, the correction of the "FILING DATE" on the filing receipt to indicate a date of 20 October 1999 is not proper since applicants completed the requirements set forth in 35 U.S.C. 371(c) on 21 January 2000. (Note MPEP section 1893.03(b)).

CONCLUSION


Applicant's request for the issuance of a corrected filing receipt indicating a "Filing Date" of 20 October 1999, is **DISMISSED**.

Applicant's request for the correction of the title of invention to "Communication System, Base Station Device, Communication Terminal Device and Communication Method" is **GRANTED**.

The application will be forwarded to United States Designated/Elected Office for processing in accordance with this decision. Thereafter, it will be returned to Art Unit 2744 for further prosecution.



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